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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

EPIC GAMES, INC.

Plaintiff, Counter-defendant
 v.

APPLE INC.,

Defendant, Counterclaimant

Case No. 4:20-cv-05640-YGR

**DECLARATION OF JOSHUA M.
 WESNESKI IN SUPPORT OF APPLE
 INC.'S OPPOSITION TO EPIC GAMES,
 INC.'S MOTION TO ENFORCE
 INJUNCTION**

The Honorable Yvonne Gonzalez Rogers

1 I, Joshua M. Wesneski, hereby declare as follows:

2 1. I am an attorney licensed to practice in the District of Columbia, and am appearing in this
3 Court *pro hac vice*. I am Counsel at the law firm Weil, Gotshal & Manges LLP and counsel of record
4 for Apple Inc. (“Apple”) in this case. I have personal knowledge of the facts stated below and, if called
5 as a witness, would testify competently thereto.

6 2. I submit this declaration in support of Apple’s Opposition to Epic Games, Inc.’s Motion
7 to Enforce Injunction.

8 3. Attached hereto as Exhibit 1 is a true and correct copy of a January 16, 2024 tweet from
9 Tim Sweeney, retrieved from his X account.

10 4. Attached hereto as Exhibit 2 is a true and correct copy of the hearing transcript from *In*
11 *re Google Play Store Antitrust Litig.*, No. 21-md-02981-JD (N.D. Cal. Jan. 18, 2024).

12 5. Attached hereto as Exhibit 3 is a true and correct copy of an email exchange among Mark
13 A. Perry, Yonatan Even, and Gary Bornstein, between February 19, 2024 and March 8, 2024.

14 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
15 correct. Executed this 12th day of April 2024, in Washington, D.C.

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17 Dated: April 12, 2024

Respectfully submitted,

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19 By: /s/ Joshua M. Wesneski

20 Joshua M. Wesneski
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